

FILED IN UNITED STATES DISTRICT  
COURT, DISTRICT OF UTAH

AUG 24 2011

BY D. MARK JONES, CLERK  
DEPUTY CLERK

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

KIRK D. MCCLEERY and JODY L.  
MCCLEERY,

Plaintiffs,

v.

SOUTHERN UTAH TITLE; et al.,

Defendants.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Case No. 2:11-cv-350

Judge Dee Benson

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Brooke C. Wells on August 3, 2011, recommending the District Court grant BAC's and Bank of America's Motion to Intervene and grant the Defendants' Motion to Dismiss.


The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. Neither party has filed such an objection.

Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the Court ADOPTS the Report and Recommendation. Accordingly, the Court hereby:

- (1) GRANTS BAC's and Bank of America's Motion to Intervene; and
- (2) GRANTS the Defendants' Motion to Dismiss.

IT IS SO ORDERED.

Dated this 23rd day of August, 2011.

  
Dee Benson  
United States District Judge